

4) Remarks/Arguments.

Applicant thanks the examiner for the thoroughness of the Office Action dated January 30, 2004 and the indication of allowability on for claims 2-9 and 15.

Specification

In the Specification, the examiner objected to certain informalities.

Applicant has corrected the informalities on p. 6, line 5, by substitute paragraph [0023] correcting the reference to Fig 6 to properly reflect Fig. 5

Applicant has corrected the informality regarding the reference number for boring bit 33 in paragraph [0024] by substitute paragraph to properly reflect boring bit 43.

The informality regarding the occurrences of “adapter housing 80” have been corrected by substitute paragraph [0025] by correction to read “adapter housing 90.”

The informality on p. 8, line 9, has been corrected by substitute paragraph [0031] to change “second end 24” to read “second end 22.”

The informality on p. 8, line 18, has been corrected by substitute paragraph [0032] to change the referenced Fig. 6 to properly read Fig. 5.

The has also objected to claims 2, 3, and 12

The examiner requested clarification regarding the term “distal” in the recitation “ distal said sleeve member” in claim 1, lines 6-7. The examiner questioned whether the term “distal” simply referred to the fluid jet 50 is just exterior or positioned outside of the sleeve member 60. It is respectfully submitted that the examiner’s “just exterior or positioned outside” as shown in Fig. 1 is overly limiting, accordingly the point of reference has been amended to proximal said drill bit to show that the fluid jet 50 is positioned on the same end of the shaft as the bit.

Claim Rejections – 35 USC §102


The examiner has rejected claims 1 and 10-14, under 35 U.S.C. §102 as being anticipated by Murphy '474. In making the rejection, the examiner asserts the shroud of Murphy anticipates the sleeve of applicant's invention. Applicant respectfully traverses the rejection, since the shroud of Murphy can not slidably receive the shaft as specified in the applicant's claims. Accordingly, applicant requests that the rejection be withdrawn and the claims as amended passed for allowance.

In the office action the examiner indicated that claims 2-9 and 15, would be allowable if rewritten in independent form. Claims 23 – 31, newly added are claims 2-9 and 15 amended to comply with the examiner's instructions, placing them in condition for allowance.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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LIT/835346.1

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Amdt. dated April 30, 2004
Reply to Office action of January 30, 2004

5) **An Appendix including amended drawing figures is attached:**

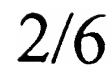
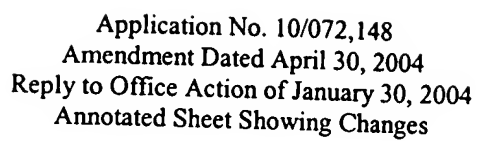
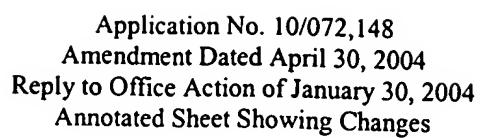


FIG. 2





Application No. 10/072,148
Amendment Dated April 30, 2004
Reply to Office Action of January 30, 2004
Annotated Sheet Showing Changes

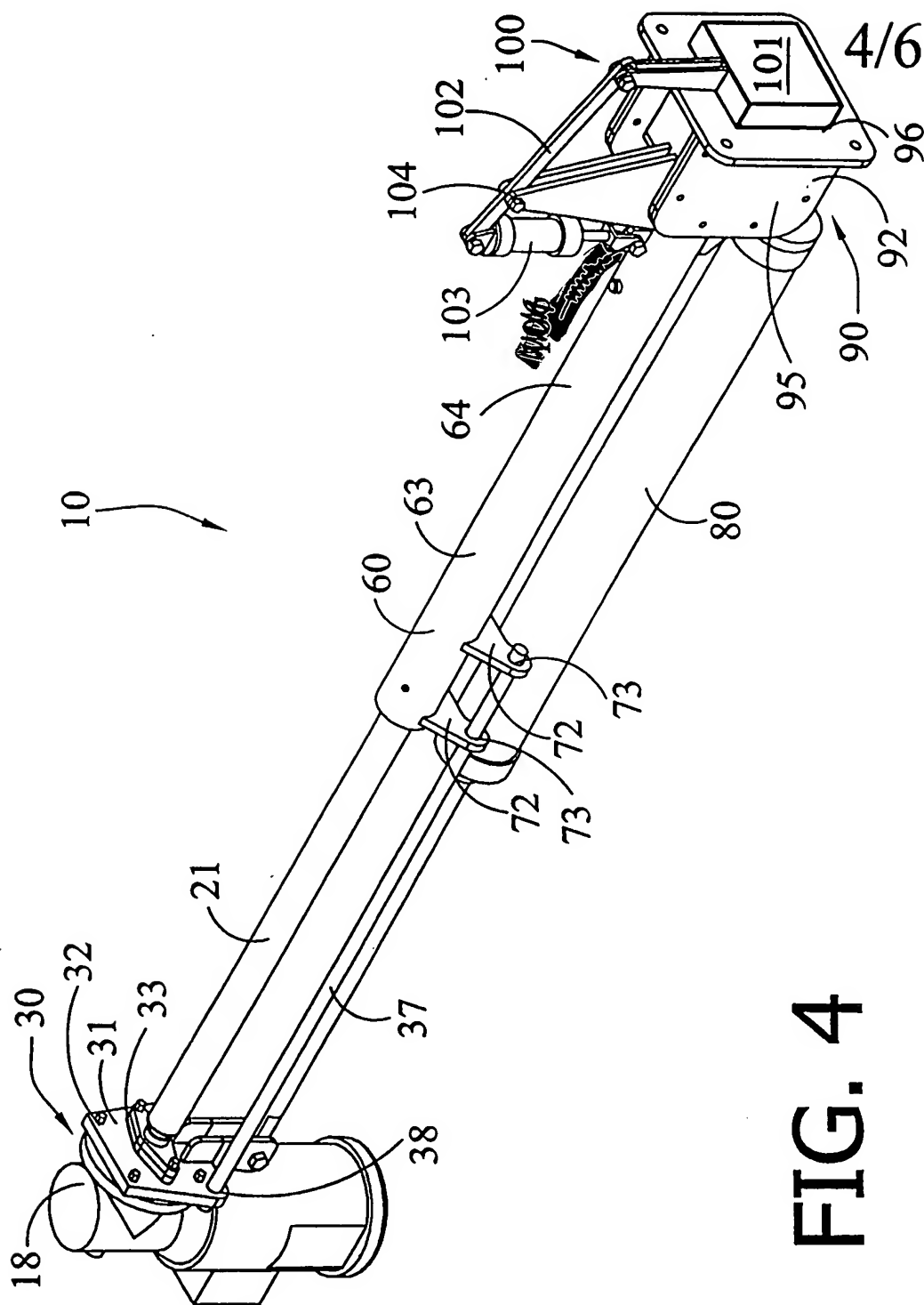


FIG. 4

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